

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 3:07-CR-89-PLR
)	
MELVIN SKINNER)	

MEMORANDUM AND ORDER

This matter is before the court on the defendant's motion for sentence reduction pursuant to Amendment 782 to the United States Sentencing Guidelines [R. 359]. The government has responded deferring to the court's discretion whether and to what extent to reduce defendant's sentence [R. 362]. The United States Probation Office has provided the court with a memorandum regarding retroactivity of Amendment 782. The defendant is presently scheduled for release on July 6, 2026.

The defendant was convicted of conspiracy to distribute and possess with intent to distribute at least 1,000 kilograms of marijuana, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A); conspiracy to commit money laundering, in violation of 18 U.S.C. §§ 1956(a)(1)(A) and 1956(h); and aiding and abetting the attempted distribution of more than 100 kilograms of marijuana, in violation of 18 U.S.C. § 2, 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(B). Defendant was held accountable for 5,720.35 kilograms of marijuana, resulting in a base offense level of 34. He received a two-level enhancement for possession of a firearm and a two-level enhancement for money laundering, resulting in a total offense

level of 38. His criminal history category was I, and his advisory guideline range was 235 – 293 months. Defendant was sentenced to 235 months, the bottom of his guideline range.

Amendment 782 reduces the guideline range applicable to defendant. Pursuant to Amendment 782, defendant's base offense level is 36, with a criminal history category I, resulting in an amended guideline range of 188 – 235 months. Considering the policy statements set forth at USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), it is hereby **ORDERED** that the defendant's motion [R. 359] is **GRANTED**, and the defendant's sentence is **reduced to 188 months**.

If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a "time served" sentence. *See* USSG § 1B1.10(b)(2)(C).

Except as provided above, all provisions of the judgment, dated December 4, 2009, shall remain in effect.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE